## Recommendations Regarding the Canals.

The Metropolitan Commissions and Excise Law Questions.

## Repeal of the Laws Creating Them Urged.

EXECUTIVE CHAMBER, ALBANY, Jan. 5, 1869.

uired by the constitution. Impressed with a due se of my responsibilities, I yet induige the confint hope that by the blessing and favor of Almighty d, who disposes all things, I shall be able so to harge my duties as to command the approval of constituents and to promote the welfare of the e. I am not unaware of the embarrassments execute important public trusts; to reconcile and just conflicting interests, as great as they are va-

overcome or moderate sectional prejudices ousies which may exist within our own terv; to preserve public order; to protect the ic works; to endeavor to reduce expenditures, and debt, and to assert and maintain the

The fact that neither branch of the Legislature is political sympathy with the Executive may seem be an obstacle in the way of the accomplishment these ends. Relying, however, upon your intelli-ce and patriousm, trusting that you will rise, as hall strive to do, above all party prejudices and ferences, I am ready, with all the ability and enssess, to unite with you, as I trust you will with me, in every effort to secure to those representatives we are the blessings of an whose representatives we are the blessings of an economical, a prudent and a wise government. We cannot be unmindful of the greatness of our State and the magnitude, variety and importance of its anterests and resources. Containing, as it does, more than four millions of people, among whom are represented every nation and every creed; extending, as it does, from the ocean to the great inland lakes, over an area of more than fifty thousand equare miles, it constitutes an empire in extent and population which cannot be well governed except by the exercise of the greatest moderation, wisdom and firmness on the part of the Legislature and Executive.

s invites to the metropolis of the State and of whole country the trade and commerce of all foreign lands, while the great lakes upon our borders, and the canals and railroads which connect them with the ocean bear onward to the same metropolis the vast and increasing products of our own Western and Northwestern States. Hence the unparalleled growth and progress of our great city, which including what may properly be called its suburbs, numbers more than one-third of the population and pays more than one-half of the taxes of the State. How such a city can be best governed, how the apparently conflicting interests between it and other portions of the State can be justly harmonized, how the differences of sentiment and thought, political and social, between it and other sections can be adjusted, are problems of serious import. These and other grave questions, growing out of conflicting ideas, will continually present themselves. You are to determine what legislation shall be had with reference to our canals and railroads, our moneyed corporations, our schools and colleges, our asylums, prisons and charties, our great debt and heavy taxes, and to our varied population, differing not only in relignous faith, but in views of moral and social obligations, customs and duties. The very magnitude of our territory and of the population within its limits admonishes us that upon these and other kindred subjects, it is a necessity that we entertain none but broad and comprehensive ideas. Whatever may be our individual opinions today, the great majority of thoughtful men will sconer or later be forced to acknowledge that this great metropolitan State cannot be governed upon any merely provincial theories or by the enforcement of any narrow-minded, sectional or hitberal policy; and that the masses of the people, while they will demand of their representatives economy in administration, perfect preservation of law and order and certain protection to life and property, will also foreign lands, while the great lakes upon our borders, and the canals and railroads which connec

bounty debt, 21-8 mills, and for the Whitehall and Plattsburg Railroad, 1-13 mill. Total, \$10,243,317. The state tax levied in 1867 amounted to \$12,687,218. STATE DEBT.

On the 26th of Saptember, 1867, the total funded debt was \$48,367,682, classified as follows:—
General Fund debt, five million six hundred and forly-two thousand six hundred and twenty-two dollars.

\$5,642,622 Contingent, one hundred and thirty thousand dollars.

130,000

Total. 248, 907, 682

On the 20th September, 1868, the total funded debt was forty-four million nine hundred and sixty-eight thousand seven hundred and eighty-six dollars, classified as follows:—

General Fund debt, four million seven hundred and seven thousand eight hundred and seven thousand eight hundred and twenty-six dollars. 44,707,828

Contingent, sixty-eight thousand dollars. 68,000

Canal, fourteen million two hundred and forty-nine thousand nine hundred and sixty dollars. Bounty, twenty-five million nine hundred and and forty-three thousand dollars. 25,943,000

at that date:—

Bal'nce of the Bal'nce of debt

Debt on 30th sink'g runds, after applying
Sept., 1868. Sept.30,1868. sink'g runds.

General fund 4, 707,826 \$1.83,178 \$4,554,837

Contingent. 68,000 15,517 52,482

Canal. 14,249,960 4,017,232 10,232,727

Bounty. 25,943,000 11,918,408 24,024,591

Total.....\$44,968,786 \$6,104,337 ,337 \$38,864,448 1, 1868, and since \*Includes \$350,000 due October 1, 1868, and since paid.

1Deducting interest accrued to October 1, 1868, paybole January 1, 1860.

It appears from this statement that over six millions of dollars, balances of sinking funds, have accumulated, applicable to the redemption of the debt,
and that the net amount of the State's indebtedness
at the end of the fiscal year was only thirty-eight
million eight hundred and sixty-four thousand four
hundred and forty-eight dollars. The sinking funds,
which there is no reason to suppose will be diminished, will, at their present rate of application, extinguisn the whole debt within nine years.

CANALS.

The following statement will show the condition
of the Canal Fund for the fiscal year:—
Canal Fund.

Balance in the Treasury and invested October 1, 1867, three million eight hundred
and forty thousand nine hundred and
thirty-nye dollars.

Sa, 840,935
Received during the year ending 30th September, 1868, five million six hundred
and eighty-one thousand two hundred
and twenty-six dollars.

5,681,226

Total.

50,522,161

Leaving a balance 30th September, 1808, of four million six hundred and ninety-eight thousand nune hundred and twenty-two dollars. 24,698,922

Revenues and Expenditures for the Fiscal Year.

Statement of the revenues of the State canals and the expenses of collection and ordinary repairs during the fiscal year ending September 30, 1808:—

Receipts.

Tolls, four million four hundred and seventeen thousand five hundred and fifty-nine dollars. 34,417,559

77,079

"Surplus revenues," three million two hundred and ninety-three thousand three hundred and one dollars and thirteen cents. \$3,223,301

Amounts Set Apart by Article Seven of the Constitution, viz...

To Sinking Fund, under section 1, 0 o million seven hundred thousand dollars. \$1,700,000

To Sinking Fund, under section 2, three hundred and fifty thousand dollars. \$50,000

To Sinking Fund, under section 3, one million one hundred and sixteen thousand two hundred and forty-two dollars. \$1,116,242

For the support of government under section 2, one hundred and twenty-seven thousand and fifty-eight dollars. \$127,053

.\$3,293,301 aber, 1868.

any demands the duty of the Legislatare cutive departments.

SALT SPRINGS.

as superintendent of the Onondags salt springs orts the quantity inspected during the last fiscal at eight million seven hundred and ty-three thousand five hundred and fourteen heis, being an increase of production that of the previous fiscal year of two million seen thousand four hundred and fifty-four heis. The amount of revenue received from all reces was eighty-eight thousand and forty-nine lars; total expenditures connected with the seruntendency of the springs was forty-nine disand two hundred and thirty-eight dollars; the found of net revenue received by the State being rity-eight thousand eight hundred and eleven lars.

In this State, outstanding and charged to their accounts, on the 1st day of October last, was two million nine hundred and fifty-four thousand three hundred and ninety-one dollars; of this one million six hundred and sixty-five thousand eight hundred and sixty-five thousand eight hundred and fifty-five dollars were issues of free banks, one million two hundred and eighty-eight thousand five hundred and thirty-six dollars were issues of safety fund and incorporated banks. The amount for which securities were held by the Superintendent of the Banking Department was two million.

it will be my aim to reduce, as far as possible, the military expenses of the State, without incoming

ber 1, 1807.
Apportioned to districts.
Proceeds of Gospel and school lands.
Raised by local taxation.
From all other sources.

1,470,640 Number of children attending school some portion of the year.

Number of teachers employed in common schools for twenty-eight weeks or more.

Number of male teachers.

Number of female teachers.

Number of school districts.

Number of school houses.

In relation to the operation of the several public charities and asylums in the State I respectfully refer you to the official report, which will be trans-

district commissions and boards in the State I respectfully refer you to the several reports which will be duly transmitted.

CIVIL AND CHIMINAL CODES, ETC.

The codes prepared by the two commissions organized under the constitution have neretofore been presented to the Legislature. The Practice Commission, created pursuant to the twenty-fourth section of the sixth article, has reported codes of civil and criminal procedure; and the Code Commission, created pursuant to the seventeenth section of the first article, has reported civil, penal and political codes. A book of forms has also been prepared, adapted to the code of civil procedure. These volumes were designed to lay before the people, in a concise and systematic form, the whole body of the law, common and statutory, with formulas for general use. Much labor has been expended by the Cimmissioners upon their work, which has commanded considerable public attention. The code of criminal procedure has been, to a great extent, adopted by sixteen States and Territories; the code of criminal procedure by ten of them, and the civil and penal code, the last reported, has been adopted by two of the Territories. In view of the great importance attached to the subjects embraced in these various reports I commend them to your early consideration. If they do not command the approval of the Legislature I respectfully suggest the propriety of prompt action to secure a new revision of the statutes of the St

action to secure a new revision of the statutes of the State, as well as an immediate reform in our criminal laws.

I particularly recommend that provision be made by statute that in all cases of murder where the degree of premeditation or the circumstances attending the homicide do not, in the opinion of the jury, justify punishment by death, they may render a verdict of murder of a less degree, to be punished by imprisonment for a term of years, the maximum to be fixed by law.

\*\*\*STROPOLITAN DISTRICTS AND COMMISSIONS.\*\*

The constitution of the State, in terms, recognizes, for the purposes of local government, counties, cities, towns and villages, and no other territorial divisions. It directs that all officers whose appointment is not provided for by it shall be elected by the electors or appointed by the authorities of the locality within which their powers are to be exercised, distinctly recognizing the right of electors in local dommunities to choose their own officers, and, as they bear own burdens, to administer their own affairs. The plain spirit of the constitution has been clearly violated in the creation by the Legislature of other geographical divisions than those fixed and established by the organic law. It is true the highest court of the State, by a bare majority vote, held this legislation valid; but it has, nevertheless, been very generally admitted to have been a partisan contrivance for power, and, if not an open violation, at least an evasion of the constitution. One of these districts, called the Metropolitan district, embraces the counties of New York, Kings, Westchester and Richmond. The people of these counties and of the cities of New York and Brook, lyn have thus been deprived of the right of managing their own local affairs in many important particulars, especially with reference to matters have been committed to officers appointed by State authority who do not represent the majority of the linabilitants of the respectuve counties.

The effect has been, virtually, to give to the pol

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trace in other parts of the State to whom atone they owe allegiance. This feeling on the part of the superior officers soon infuses taself among the subordinates. The result is that the government becomes an inconsiderate tyranny rather than a temperate and responsible exercise of sutherity. If this were otherwise, and the people were not taxed and governed without any right of redress, every dollar pad for taxation would draw with it direct responsibility, and every officer would feel himself at all times on trial for his public acts. No party could long maintain local ascendency which did not nominate the best men for office, and did not, by economy and good government, make their control of affairs consistent with the interests of the people.

These considerations are applicable not alone to the cities of New York and Brooklya, but to all other cities in the State which have been brought under the operation of laws establishing district commissions.

I deem it my duty in this my first annual mes-sage to give decided expression to my opinion that he good government can be secured to any great city unless it shall have one responsible head, in whom shall be vested all executive power, and to whom, as the elected representative of the people, all departments charged with executive duties shall be directly and summarily responsible and account-able.

ble.

If with this as the fundamental idea a plan shall be devised which will give to the political minority within a city a just representation in its councils we shall, doubtless, secure better results in municipal government than have ever before been attained. I respectfully call the attention of the Legislature to another subject in which the people of the city of

harshly by partisan onicers. I therefore recommend its repeal, so that we may have but one law for the whole State, to be administered, whether in counties or in cities, by the legally constituted local authorities thereof or by officers to be appointed by them. Such a law would command universal respect and general obedience.

FURITY OF ELECTIONS.

Every means should be adopted by which the electrors may have secured to them freedom from intimidation or corrupt influences in the exercise of the electror franchise—the highest privilege of a citizen. It cannot be denied that wealth, by its lavish expenditure to control elections, is fast becoming more influential than abilities and public service to obtain political power and official station. It is not unusual to hear the claims of public men asserted in proportion to the pecuniary contributions which they make to party funds, in amounts which obviously cannot be required or used for the legitimate purposes of an election. It is one of the starting evils of the times that nominations to important offices are sought by and given to men of vast wealth, not because of their capacity and qualifications, but in order that their money may be used to accomplish success. The dangers arising and to be apprehended from this condition of things are manifold. Officials are taught that money, however acquired, is the passport to office and authority; electors are corrupted and a power is built up lounded on the possession of riches and their corrupt use, tending to the subversion of the rights and liberties of the people and the destruction of the principles of our government. As one result of this growing tendency of moneyed influences to assert an exclusiveness of class, and a superior domination, sectional and class legislation has been adopted of inte years to control, even in regard to suffrage, large communities by special laws.